In re Patent Application of: YANG et al. Serial No. 10/001,407 For: COMPOSITIONS AND METHODS FOR DETECTING HUMAN IMMUNODEFICIENCY VIRUS 2 (HIV-2) (HIV-2) PATENT AND TRADEMARK OFFICE Group Art Unit: To Be Assigned Examiner: To Be Assigned Atty. Docket No. GP117-03.UT

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b) & (c)

Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of each cited reference is enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits.

If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of mailing indicated below, then Applicants request that this Information Disclosure Statement be treated as a submission under 37 C.F.R. § 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

Certificate of Mailing

I hereby certify that this correspondence (along with any referred to as enclosed) is being deposited with the U.S. Postal Service on the date indicated below as first class mail with sufficient postage addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date: January 23, 2002

Michael J. Gilly, Reg. No. 42,579

Application Serial No. 10/001,407 Atty. Docket No. GP117-03.UT

IDS

Applicants respectfully request that the Examiner indicate consideration of each cited reference by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

Date: January 23, 2002

By: Michael J. Gilly

Registration No. 42,579 Agent for Applicants

GEN-PROBE INCORPORATED Patent Department

10210 Genetic Center Drive San Diego, California 92121

PH: 858-410-8657 FAX: 858-410-8928 Approved for use through 10/31/2002. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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4 Sheet 1 of

Co	mplete if Known	_
Application Number	10/001,407	
Filing Date	October 22, 2001	
First Named Inventor	YANG et al.	
Group Art Unit	To Be Assigned	
Examiner Name	To Be Assigned	
Attorney Docket Number	GP117-03.UT	

				U.S. PATENT DOCU	IMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Document Kind Code ² (it known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		4868105	Α	Urdea et al.	09-19-1989	
		4965188	Α	Mullis et al.	11-23-1990	
		5008182	Α	Sninsky et al.	04-16-1991	
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Examiner Initials	Cite	l i	Foreign Patent Docu	ıment	Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
	No.1	Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T6
		EP	0239425	A1	institut Pasteur	09-30-1997		*
		EP	0403333	B1	Institut Pasteur et al.	12-19-1990		**
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		wo	8801302	A1	Siska Diagnostics, Inc.	02-25-1988		

^{*} An English language abstract is included. ** An English language abstract and English language claims are included.

Examiner	Date
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10/001,407 **Application Number** INFORMATION DISCLOSURE October 22, 2001 **Filing Date** STATEMENT BY APPLICANT First Named Inventor YANG et al. Group Art Unit To Be Assigned

(use as many sheets as necessary)

Examiner Name To Be Assigned **GP117-03.UT** Attorney Docket Number Sheet 2 of

				U.S. PATENT DOCU	JMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Docum Kind C Number (if knc	Code ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		5712385	Α	McDonough et al.	01-27-1998	
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l _m		6096321	Α	Girardeau et al.	08-01-2000	

				FOR	<u>EIGN PATENT DOCUMEN</u>	TS		
		1	Foreign Patent Docu	ment	Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No. ¹	Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T6
		WO	8810315	A1	Siska Diagnostics, Inc.	12-29-1988		
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Examiner	Date
Signature	Considered

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				Application Number	10/001,407	
INF	ORMATION	DIS	SCLOSURE	Filing Date	October 22, 2001	
STA	ATEMENT B	YA	PPLICANT	First Named Inventor	YANG et al.	
				Group Art Unit	To Be Assigned	
	(use as many she	ets as	necessary)	Examiner Name	To Be Assigned	2
Sheet	3	of	4	Attorney Docket Number	GP117-03.UT	

				U.S. PATENT DOCU	JMENTS	2 ا
Examiner Initials*	Cite No.1	U.S. Paten Number	t Document Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner	Cite		Foreign Patent Docu		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document			T6
			0125466	A1	Oxford Biomedica (UK) Limited	04-12-2001		
			0162965	A2	Oxford Biomedica (UK) Limited	08-30-2001		
		 						
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of 4 Sheet

Will Co	mplet if Kn wn		
Application Number	10/001,407		
Filing Date	Oct ber 22, 2001		
First Named Inventor	YANG et al.		
Group Art Unit	To B Assigned		
Examiner Name	To Be Assigned		
Attorney Docket Number	GP117-03 UT	:	

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	ì
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	78
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